PATENT

AT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Customer Number: 20277

Tomohide TERASHIMA

Confirmation Number: 2683

Application No.: 10/647,288

Tech Center Art Unit: 2811

Filed: August 26, 2003

Examiner: Pham Long

For: SEMICONDUCTOR DEVICE

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated July 7, 2004 of the Primary Examiner finally rejecting claims 1, 2 and 4.

Appeal Fee: \$\\\ 340.00

Not required (fee paid in prior appeal in this application).

Charge to Deposit Account No. 500417.

Check Enclosed.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

Arthur J. Steiner

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Date: October 4, 2004